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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

Portland Division

EDWARD J. BYLSMA,

Civil No. 10-CV-403-PK

Plaintiff,

ORDER

v.

BURGER KING CORPORATION,
a Florida corporation;
and KAIZEN RESTAURANTS,
INC., an Oregon Corporation

Defendant.

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MARSH, Judge.

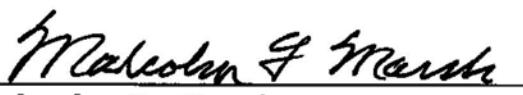
Magistrate Judge Papak filed a Findings and Recommendation on September 3, 2010. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). When any of the parties object to any portion of the Magistrate's Findings and Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate's report. See 28 U.S.C. § 636(b)(1)(C); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982).

Defendant has filed timely objections. After *de novo* review, I find no error. Accordingly, I ADOPT the Findings and Recommendation (#23) of Magistrate Judge Papak.

Defendants' Motion for Judgment on the Pleadings (#14) is **GRANTED**.

IT IS SO ORDERED.

DATED this 9 day of November, 2010.


Malcolm F. Marsh
United States District Judge